

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.: 8:18-00643 SVW (ADS) Date: February 7, 2020

Title: Nancy Carolyn Wood v. City of Santa Ana, et al.

Present: The Honorable Autumn D. Spaeth, United States Magistrate Judge

Kristee Hopkins

Deputy Clerk

None Reported

Court Reporter / Recorder

Attorney(s) Present for Plaintiff(s):
None Present

Attorney(s) Present for Defendant(s):
None Present

**Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED FOR FAILURE TO
PROSECUTE**

On October 30, 2019, pro se Plaintiff Nancy Carolyn Wood (“Plaintiff”) filed a Third Amended Complaint (“TAC”). [Dkt. No. 25]. On November 5, 2019, the Court ordered Plaintiff to serve the summons(es) and TAC by no later than February 3, 2020. [Dkt. No. 26]. On February 3, 2020, Plaintiff filed a Request to File Fourth Amended Complaint (“FAC”) and also filed a proof of service of the TAC on several defendants by first class mail. [Dkt. No. 30].

The proof of service filed by Plaintiff does not reflect service on all thirty-four (34) named defendants, nor does it reflect service that complies with the Federal Rules of Civil Procedure. Pursuant to the Federal Rules of Civil Procedure, service of the complaint must be made on all defendants within ninety (90) days of filing the complaint. Fed. R. Civ. Proc. 4(m). As of this date, Plaintiff has failed to comply with service requirements, despite receiving the Court’s Order Regarding Service and Filing Requirements [Dkt. No. 26].

Since the deadline to serve all defendants is past, and the only proof of service filed is deficient, Plaintiff is hereby **ORDERED TO SHOW CAUSE why this case should not be dismissed for failure to prosecute and follow court orders.** Plaintiff must either (1) file a written response explaining her inability to comply with

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service requirements along with a request for additional time pursuant to Federal Rule of Civil Procedure 4(m); OR (2) file a written response requesting dismissal. Plaintiff's response must be filed by no later than **February 18, 2020**.

Plaintiff is expressly warned that failure to timely file a response to this Order to Show Cause may result in a recommendation to the District Judge that this action be dismissed without prejudice for failure to prosecute and obey Court orders pursuant to Federal Rule of Civil Procedure 41(b).

IT IS SO ORDERED.

Initials of Clerk kh